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9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

12  
13 UNITED STATES OF AMERICA, )  
14 Plaintiff, )  
15 v. )

16 \$109,800 IN UNITED STATES )  
17 CURRENCY, )

18 Defendant. )

No. 11-CV-1967 EMC

19 NIN TRAN AND TUNG TRAN, )  
20 Claimants. )  
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REPORT OF THE UNITED  
STATES TO THE COURT  
ORDER RESETTING CMC

On April 22, 2011, the United States filed this civil forfeiture action seeking to forfeit defendant \$109,800 which law enforcement seized during the execution of a search warrant in connection with a drug trafficking investigation. 21 U.S.C. § 881(a)(6). After claimants Ninh Tran and Tung Tran filed claims on June 22, 2011, the parties in July 2011 stipulated to a stay of this case until a related state court criminal case is resolved, *People of the State of California v. Luc Tran* (7/19/1987), aka *Tran Luc Tien, Linh Nhat Tran* (10/18/1983), et al., DA No. 101127526, filed November 11, 2010 (Superior Court, Santa Clara County, San Jose Facility). The first two named defendants in the state case are the sons of Ninh Tran, a claimant in this case, and nephews of Tung Tran, also a claimant in this case. 18 U.S.C. § 981(g)(1) and (2). The Court entered the parties' stipulation as an order. Stipulation and Order, entered July 12, 2011.

Pursuant to the stipulated stay, the United States is filing this report on the status of the related state criminal case. In short, the conditions on which the stay was obtained are still in effect because the criminal case has not been resolved as to the defendant sons of claimant Ninh Tran. The state prosecutor, Johnny Gogo, has informed the undersigned that the criminal state court case is pending with the criminal trial scheduled for February 14, 2012.

Respectfully submitted,

MELINDA HAAG  
United States Attorney

Dated: November 14, 2011

/s/

IT IS SO ORDERED that the Case Management Conference is reset from 1/6/12 to 3/2/12 at 9:00 a.m. A joint CMC Statement shall be filed by 2/24/12.

Edward M. Chen  
U.S. District Judge

US Report to the  
No. 11-CV-0196

